

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

United States of America,)	
)	
Plaintiff,)	ORDER GRANTING MOTION TO
)	AMEND JUDGMENT
vs.)	
)	
Charles Edward Jardee,)	
)	Case No. 1:09-cr-091
Defendant.)	

Before the Court is the Government’s “Motion for Miscellaneous Relief: Final Determination of Restitution” filed on April 1, 2010. See Docket No. 28. The Government moves the Court to amend the Judgment (Docket No. 25), dated March 5, 2010, to include restitution in the amount of \$10,700.71. The Defendant does not object or oppose the Government’s motion.

Pursuant to 18 U.S.C. § 3664(d)(5), if the victim’s losses are not ascertainable ten days prior to sentencing, the Government or the probation officer shall inform the Court of this fact and the Court shall set a date for the final determination of the victim’s losses that is not to exceed ninety days after sentencing. The Court ordered in the Judgment that the “issue of restitution shall remain open for sixty (60) days for the parties to determine the amount of restitution. If the parties fail to provide a final determination of restitution within sixty (60) days, the issue of restitution shall be closed.” See Docket No. 25. The Government filed its motion on April 1, 2010, which is within the sixty-day deadline specified in the Judgment.

The Government has provided medical billings statements from Trinity Hospital, New Town Community Ambulance, and Dr. Scott Knudson in the amount of \$10,700.71, for the medical expenses incurred by the victim. See Docket Nos. 28-1. The Court finds that the Judgment should

be amended to include restitution in the amount of \$10,700.71 payable to victim to cover the medical expenses she has incurred.

The Court **GRANTS** the Government's motion (Docket No. 28) and orders the Clerk of Court to file an Amended Judgment directing the defendant to pay the sum of \$10,700.71 in restitution to the victim, Kristine Jardee, P.O. Box 456 Baker, MT 59313-0456.

IT IS SO ORDERED.

Dated this 16th day of April, 2010.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge